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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: B-201488

DATE: February 25, 1981

MATTER OF: Purchase of caps for distribution to National Weather Service volunteer observers

DIGEST: Purchase of winter caps for distribution as incentive to volunteer participants in National Weather Service weather observation program does not constitute necessary and proper use of appropriated funds, since the caps are in the nature of personal gifts.

An authorized certifying officer of the National Oceanic and Atmospheric Administration (NOAA) has requested our opinion as to the propriety of payment for winter head gear, ~~to be distributed~~ to participants in the Volunteer Observer Program of the National Weather Service (NWS). The invoice is in the sum of \$2,486.88, covering the cost of 1,366 caps.

NWS is charged with forecasting the weather and measuring and recording the climate of the United States. 15 U.S.C. § 313 (1976). We are told that one means used to accomplish these statutory duties is the Volunteer Observer Program, through which volunteers record and report weather data to NWS.

While NWS relies on the volunteers for various tasks associated with weather observation, the agency has difficulty recruiting and maintaining this body of observers. As an incentive to the volunteers, NWS ordered the brightly colored winter caps, which were to be given to the volunteer observers by NWS' Substation Network Specialists during their semiannual training and inspection visits. The caps were intended to create esprit de corps among the volunteers, increasing their motivation and encouraging them to remain in the program.

Since the appropriation for NOAA which would be charged with payment for the caps (Department of Commerce Appropriation Act, 1980, Pub. L. No. 96-68, 93 Stat. 416, 424) does not specifically provide for purchase of such items for volunteers, to qualify as a legitimate expenditure the acquisition and subsequent distribution of these items must constitute a necessary expense of NWS. See 31 U.S.C. § 628 (1976). Our Office has long held that appropriated funds may be used for objects not specifically set forth in an appropriation act only if there is a direct connection between such objects and the purposes for which the appropriation was made, and if the object is essential to carrying out such purpose. 55 Comp. Gen. 346, 347 (1975); 27 id. 679, 681 (1948).

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We have frequently been asked about purchase of items for distribution to individuals as incentives to boost morale or increase support for a particular program. We have previously held that an expenditure by the Forest Service for distribution of jackets and sweaters to certain participants in the Job Corps program was unauthorized. The articles were distributed to those participants in the program who could not return home for the Christmas holidays, as a means of maintaining morale. We held that those items were in the nature of personal gifts, and, therefore, the expenditure did not constitute a necessary and proper use of appropriated funds. B-195247, August 29, 1979.

In another case, we held that a voucher covering the cost of decorative key chains given to educators attending a seminar sponsored by the Forest Service could not be certified for payment since such items effectively constituted personal gifts. The key chains had been distributed with the intent that they would generate favorable future responses from the educators, whose voluntary assistance had been requested by the agency. 54 Comp. Gen. 976 (1975).

Similarly, we have held that appropriated funds may not be used to buy paperweights and commemorative plaques to be given to individuals in recognition of their support of the U.S. Army Criminal Investigation Command. Distribution of the tokens was asserted to be an essential part of a community relations program to foster the cooperation necessary to accomplish the agency's mission. We concluded that the items had an insufficiently direct relation to the purposes for which the agency's appropriation was made. 55 Comp. Gen. 346, supra.

Also, while no such legislation exists in the instant case, Congress has specifically provided for expenses incident to certain volunteer programs. For example, the Fish and Wildlife Improvement Act of 1978, Pub. L. No. 95-616, § 4, 92 Stat. 3110, contains an authorization for appropriations to the Secretary of Commerce for expenses incurred in accepting the services of volunteers in fish and wildlife programs. That provision was modeled after the Volunteers in the National Parks Act of 1969, Pub. L. No. 91-357, 84 Stat. 472, which authorized use of volunteers in National Park Service activities. Both statutes specify that the funds may be used for expenses incidental to the volunteers' services, including transportation, lodging and uniforms for the volunteers. (Although section 4 of the Fish and Wildlife Improvement Act by its terms covers programs conducted by the Secretary of Commerce through NOAA and is not expressly limited to fish or wildlife-related programs, the question whether it might permit the expenditure here by NWS is moot because no funds were requested or appropriated for fiscal year 1980, when the caps were purchased, under the authorization in section 4.)

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With respect to this situation, while we do not doubt that the caps may serve as an incentive to the volunteers, there is no indication that NWS will fail to accomplish its statutory mission without distribution of the caps. We regard the caps as in the nature of personal gifts to the volunteers, and we therefore cannot approve use of appropriated funds for procurement of the caps. Accordingly, the invoice in question may not be paid.

Milton J. Fowler

For The Comptroller General
of the United States